IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.772 OF 2005
IN
SECOND APPEAL NO.936 OF 2003

Karimbhai Haidarbhai Mulani & Ors. ..Applicants
Versus
Anwar Balabhai Mulani &* Ors. ..Respondents

Mr.V.T.Walawalkar with Rajesh A.Revankar for applicants
Mr.P.J.Pawar advocate for respondents

CORAM : P.V.KAKADE, J.

DATE : 29TH JUNE, 2005.

P.C.:

1. Heard the learned counsel for the both sides.

2. This is an application for Stay of the operation of the Decree dated 31st August 2003 passed in Civil Appeal No.771 of 2003 by the District Judge, Pune and in the alternative for temporary injunction pending the appeal.

3. After hearing the learned counsel for the applicant and perusing the record I am satisfied that

prima facie, it is seen that the applicants appear to be in possession of the property. The appellate court on that basis appears to have granted status-quo with regard to the suit property. In view of this position I am inclined to continue the order passed by the lower appellate court. Hence with this direction the parties shall maintain status-quo with regard to the suit property pending the appeal.

. With this direction the application stands disposed of with no order as to costs.

. Certified copy expedited.